

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-80939-CV-MIDDLEBROOKS

TAPARRISH VAILS,

Plaintiff,

v.

SERGEANT WILLIAMS,
et al.,

Defendants.

/

PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANTS' TRIAL BRIEF

Plaintiff, **TAPARRISH VAILS** ("Plaintiff"), by and through the undersigned counsel, files his Response in Opposition to Defendants' Trial Brief and states:

Issues of evidence concerning Defendants Williams and Lindor

1. The Personnel Complaint Investigation case no. PC 22-036 prepared by Investigator Sergeant Peter Franks regarding allegations of unnecessary force by Defendants Williams and Lindor stemmed from a date of incident of March 7, 2022.

2. A mere 23 days later on March 30, 2022, Plaintiff suffered unreasonable force as a result of the action of both Defendants Williams and Defendant Lindor. At the time of Plaintiff's attack, the Defendants were still under investigation and had not received any consequence and perhaps felt invincible from liability. Probable cause and suspension of Defendant Williams occurred after Sergeant Franks filed his investigation on June 21, 2022.

Impeachment/bias

3. None of the inmates scheduled to testify were convicted of perjury. None of the

subject convictions are relevant to the case. Defendants' untenable position taken to its logical conclusion is that every person convicted of a felony is uncredible, a liar and never to be trusted.

Damages

4. Plaintiff is claiming non-economic damages such as pain and suffering, emotional distress and mental anguish in addition to punitive damages. Plaintiff reserves the right to seek economic damages without having his irrelevant criminal history poison the jury's perception of his credibility regarding his claim for damages.

Extrinsic evidence

5. Plaintiff's criminal plea regarding Deputy Haas is irrelevant as to what happened in this case. Deputy Haas is not a Defendant. That criminal case concluded. Essentially, Defendants seek to re-charge and relitigate the plea deal in this civil case. The constitutional violation occurred as a result of the actions of the Defendants.

Laughlin

6. If Defendant Laughlin was on drugs on March 30, 2022 (in light of the admitted reason for his firing), that would be highly relevant to his attack on Plaintiff.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on July 17, 2023 via first-class US mail and/or CM/ECF to:

Taparrish Vails, Plaintiff
Reg. No. 73033-004
Palm Beach County Main Detention Center
P.O. Box 24716
West Palm Beach, Florida 33416

Andrew William Jolly, Esquire
Summer Marie Barranco, Esquire
Attorney for Defendants
Purdy, Jolly, Giuffreda, Barranco & Jisa, P.A.

5360 NW 55th Blvd., Apt. 205
Coconut Creek, FL 33073
Email: andrew@purdylaw.com, Email: summer@purdylaw.com